

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

HEATHER E. CORTES,

Plaintiff,

vs.

COMMISSIONER OF
SOCIAL SECURITY,

Defendant.

Case No. 15-CV-14064

HON. GEORGE CARAM STEEH

MAG. JUDGE STEPHANIE DAWKINS DAVIS

ORDER ACCEPTING MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATION (DOC. #22) AND GRANTING PLAINTIFF'S
MOTION FOR SUMMARY JUDGMENT, DENYING DEFENDANT'S
MOTION FOR SUMMARY JUDGMENT, REVERSING THE FINDINGS OF
THE COMMISSIONER AND REMANDING FOR FURTHER PROCEEDINGS

This matter is before the court on plaintiff Heather E. Cortes' challenge of a final decision of defendant Commissioner disallowing social security disability benefits. Both parties filed summary judgment motions which were referred to the magistrate judge for report and recommendation.

On February 22, 2017, the magistrate judge issued a report and recommendation recommending that plaintiff's motion be granted and defendant's motion for summary judgment be denied. The report concludes that the Commissioner's decision should be reversed and remanded for further consideration pursuant to sentence four of 42 U.S.C. § 405(g).

Objections to the report have not been filed by either party within the established time period. The court has reviewed the file, record, and magistrate judge's report and

recommendation and accepts the magistrate judge's recommendation. Accordingly,

IT IS ORDERED that the magistrate's report and recommendation is accepted as the findings and conclusions of this court.

IT IS FURTHER ORDERED that plaintiff's motion for summary judgment is GRANTED, and the Commissioner's motion for summary judgment is DENIED, for the reasons well-developed in the magistrate judge's report and recommendation.

IT IS FURTHER ORDERED that pursuant to sentence four of 42 U.S.C. § 405(g), the Commissioner's decision is REVERSED and the case is REMANDED to the ALJ for further proceedings consistent with the report and recommendation.

SO ORDERED.

Dated: March 9, 2017

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on
March 9, 2017, by electronic and/or ordinary mail.

s/Marcia Beauchemin
Deputy Clerk